

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MIKE YELLEN,

Plaintiff, No. 2:94-cv-1298 GEB DAD (PC)

vs.

ANA M. OLIVAREZ, et al.,

Defendants. ORDER

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On December 14, 2011, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Defendants sought and received an extension of time to file objections on or before January 10, 2012. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed December 14, 2011, are adopted in full;
2. Plaintiff's April 7, 2011 motion for reconsideration is granted;
3. This court's March 1, 2011 order and judgment thereon are vacated; and
4. This matter is referred back to the magistrate judge for further proceedings.

Dated: January 18, 2012

GARLAND E. BURRELL, JR.
United States District Judge